

REMARKS

Claims 1, 2, 4, 5, 7, 8, 10, 11, 13 and 14 are pending in the application. It is respectfully submitted that this Response is fully responsive to the Office Action dated January 29, 2009.

In addition, it is submitted that the specification has been amended to delete all references to claim numbers. Accordingly, withdrawal of the objection to the specification is respectfully requested.

Claim Rejections under 35 U.S.C. §102

Claims 1, 2, 4, 5, 7, 8, 10, 11, 13 and 14 are rejected under 35 U.S.C. §102(b) as being anticipated by Takayama et al. (US Publication No. 20010019960). This rejection is respectfully traversed.

Takayama et al. discloses a system providing services which are limited in a specific area, in which a service database stores a service program executing various services, such as a sightseeing guidance at a tourist resort or an information guidance at a place for an event, and an area allowing the service program to execute with relevancy to each other, and when the service database received a service selection information requested by a mobile station and a current position information of the mobile station, it judges the allowed area corresponding to the service program executing a selected service and the current position of the mobile station. If the mobile station is within the allowed area, the requested service is executed and if not, the requested service is prohibited from executing.

In contrast, in the present invention, an information distribution server provides contents including various information, such as music and the like, downloadable to a mobile terminal and a content guide information corresponding to an allowed area where the content is downloadable. When the mobile terminal transmits a selected content distribution request, the information distribution server judges whether the position of the mobile terminal is within the allowed area or not and then distributes the content requested by the mobile terminal if the mobile terminal is within the allowed area. If the mobile terminal is not within the allowed area, the requested content is not distributed.

According to the above, there are the following differences between Takayama and the present invention. Takayama's invention is to store the various service programs and the area where each of service programs is allowed executing, with relevancy to each other. The present invention is to store the various contents and the area where each of the contents is allowed *downloading*, with relevancy to each other. Therefore, in Takayama, if the mobile station terminal receives the service within the area where the requesting service program is allowed executing and then goes outside of the area, the mobile station becomes to be unable to receive the same service any longer. However, in this invention, even if the mobile terminal downloads the content within the area where the requesting content is allowed downloading and then goes outside of the area, it is possible to regenerate the downloaded content and to make use of the content regardless of the area where the mobile terminal is located.

Takayama does not disclose or suggest a structure having a content guide information that makes the content have relation to an area where the content is allowed downloading, as disclosed in the present application.

Further, Takayama does not disclose a structure that information relating a service and in which area the service program is allowed executing is provided with a mobile station. However, in this invention, the content guide information as mentioned above is provided with a mobile terminal and it makes it possible to inform the area where the content is downloadable.

The present invention, therefore, is not anticipated by and is not obvious over Takayama.

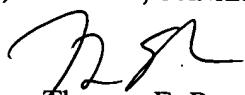
In view of the above remarks, Applicants submit that the claims are in condition for allowance. Applicants request such action at an early date.

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP



Thomas E. Brown
Attorney for Applicants
Registration No. 44,450
Telephone: (202) 822-1100
Facsimile: (202) 822-1111